

Remarks

Claims 1-15 are currently pending in the Application.

Telephone conference

Applicant thanks the Examiner for the many courtesies extended during the telephone conference held on April 27, 2006.

35 U.S.C. §102(e) Rejection

Claims 1-2, 5-9 and 13-15 stand rejected under 35 U.S.C. §102(e) as being anticipated by Yamazaki (U.S. Publication No. 2003/0146446). Applicant respectfully disagrees.

The Examiner is reminded that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co, of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that “[the] identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant submits that the Examiner has not shown that Yamazaki teaches each and every element as set forth in the rejected claims. In particular:

Claim 1

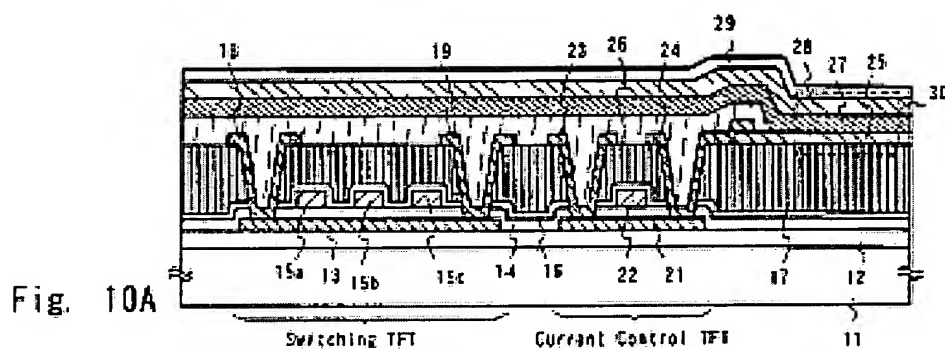
Applicant submits that the Examiner has not shown that Yamazaki discloses, suggests or teaches, *inter alia*, the following features recited by Claim 1 of the present application:

“an optic-compensation film of transparent dielectric material **formed on the surface** of the glass substrate; an anode layer formed **directly** on the optic-compensation film ” (emphasis added)

The Examiner asserts that the “optic-compensation film” as recited in Claim 1 is disclosed by Yamazaki’s layer “12” and layer “1801.” See page 2, last paragraph and page 5, first full paragraph of the Official Action. The Examiner also asserts

that the “anode layer” as recited in Claim 1 is disclosed by Yamazaki’s layer “25.” See page 2, last paragraph of the Official Action. The Examiner further asserts that the “glass substrate” as recited in Claim 1 is disclosed by Yamazaki’s layer “11.” See page 2, last paragraph of the Official Action. Applicant respectfully traverses the Examiner’s assertions.

According to Yamazaki, layer “11” supports layer “12,” which supports layers “14 and 16,” which support layer “17,” which supports layer “25.” See Figure 10A of Yamazaki shown below.



Applicant respectfully submits that layer “12” is separated from layer “25” by layers “14,” “16,” and “17.” Because layer “12” is separated from layer “25” by other layers, Yamazaki does not disclose “an anode layer formed **directly** on the optic-compensation film” (emphasis added) as recited in Claim 1.

Applicant further submits that layer “1801,” as shown in Yamazaki’s Figure 18 below, is a replacement for layer “17” of Figure 10A above. See paragraph [0142] of Yamazaki.

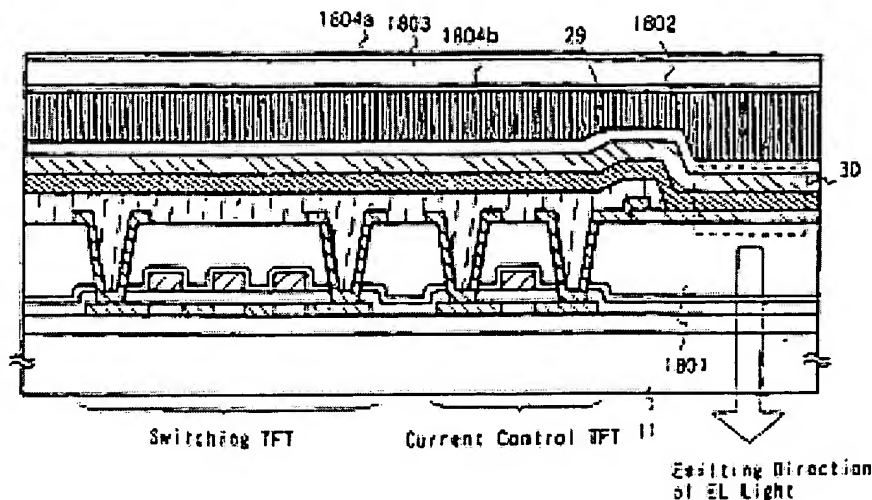


Fig. 18

Although layer “1801” supports layer “25,” layer “1801” is not formed on the surface of the layer “11.” According to Yamazaki, layer “1801” is separated from layer “11” by layers “12,” “14,” and “16.” See Figure 10A above. Because layer “1801” is separated from layer “11” by other layers, Yamazaki does not disclose “**optic-compensation film of transparent dielectric material formed on the surface of the glass substrate**” (emphasis added) as recited in Claim 1.

Applicant submits that the Examiner has not shown that Yamazaki teaches, discloses or suggests “an optic-compensation film of transparent dielectric material **formed on the surface** of the glass substrate; an anode layer formed **directly** on the optic-compensation film” (emphasis added) as recited in Claim 1, because layer “25” is not formed directly on the layer “12” and layer “1801” is not formed on the surface of the layer “11.” Hence, Claim 1 is patentable over Yamazaki and should be allowed by the Examiner. Claims 2 and 5-7, at least based on their dependency on Claim 1, are also believed to be patentable over Yamazaki.

Claim 8

Applicant submits that, at least for the reasons stated above for Claim 1,

Yamazaki does not teach, disclose or suggest “forming an optic-compensation film of transparent dielectric material **on the surface** of the glass substrate, ... forming an anode layer **directly** on the optic-compensation film” (emphasis added) as recited in Claim 8. Hence, Claim 8 is patentable over Yamazaki and should be allowed by the Examiner. Claims 9 and 13-15, at least based on their dependency on Claim 8, are also believed to be patentable over Yamazaki.

35 U.S.C. §103(a) Rejection

Claims 3-4 and 10-12 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Yamazaki (U.S. Publication No. 2003/0146446) and further in view of Yamazaki (U.S. Patent No. 6,815,723).

Applicant submits that Claims 3-4 and 10-12, at least based on their dependency on Claims 1 and 8, respectively, are believed to be patentable over U.S. Publication No. 2003/0146446 and U.S. Patent No. 6,815,723, because there is no prima facie 35 USC 103(a) case based on U.S. Publication No. 2003/0146446, as shown above, and because the Examiner has not shown where U.S. Patent No. 6,815,723 discloses, teaches or suggests the features not found in U.S. Publication No. 2003/0146446.

The Examiner is encouraged to contact the undersigned to discuss any other issues requiring resolution.

Conclusion

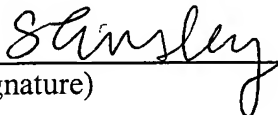
In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents POB 1450, Alexandria, VA 22313-1450 on

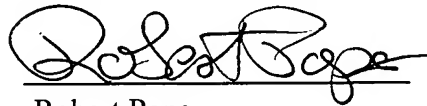
May 5, 2006
(Date of Deposit)

Shannon Tinsley
(Name of Person Signing)


(Signature)

May 5, 2006
(Date)

Respectfully submitted,



Robert Popa
Attorney for Applicants
Reg. No. 43,010
LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036
(323) 934-2300

Encls: Postcard